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*Attorneys for Plaintiffs/Counter-Defendants
Clarendon National Insurance Company and
Clarendon America Insurance Company*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X		
CLARENDON NATIONAL INSURANCE	:	
COMPANY and CLARENDON AMERICA	:	
INSURANCE COMPANY,	:	
	:	
<i>Plaintiffs and Counter-Defendants,</i>	:	Civil Action No. 09-cv-9896
	:	
v.	:	
	:	
TRUSTMARK INSURANCE COMPANY,	:	
	:	
<i>Defendant and Counter-Plaintiff.</i>	:	
-----X		

MOTION FOR SUMMARY JUDGMENT

The plaintiffs and counter-defendants, Clarendon National Insurance Company and Clarendon America Insurance Company ("Clarendon") by and through their attorneys, pursuant to Rule 56 of the Federal Rules of Civil Procedure move the Court for Summary

Judgment in their favor on Counts 1 through 5 of the Plaintiffs' Complaint for breach of contract and Count 6 for declaratory judgment and in their favor dismissing Counts 1 and 2 of Trustmark Insurance Company's Counterclaims in the above captioned proceeding. In support of their motion, the Plaintiffs incorporate by reference the following:

THE PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF THEIR MOTION
FOR SUMMARY JUDGMENT; AND

SUPPORTING DECLARATIONS OF ROBERT REPDATH AND BRIAN P. KEENAN.

WHEREFORE, the Plaintiffs respectfully request that the Court grant summary judgment in their favor on all counts of the Plaintiffs' Complaint and all counts .

Respectfully submitted,

Dated: November 19, 2010

FOLEY & LARDNER LLP

s/Brian P. Keenan

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CERTIFICATE OF SERVICE

This certifies that I caused the MOTION FOR SUMMARY JUDGMENT to be served on the parties listed below via the Court's ECF System this 19th day of November, 2010.

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